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10/583,853	06/21/2006	Heikki Riittinen	60091.00480	8582
32294 7590 04/07/2009 SQUIRE, SANDERS & DEMPSEY L.L.P. 8000 TOWERS CRESCENT DRIVE 14TH FLOOR VIENNA, VA 22182-6212				
EXAMINER				
DOAN, KIET M				
ART UNIT		PAPER NUMBER		
2617				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/583,853

**Applicant(s)**

RIITTINEN ET AL.

**Examiner**

KIET DOAN

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### DETAILED ACTION

1. This Office Action is response to Applicant's Remarks file on 01/26/2009.

Claims 1, 5, 6 and 9-12 are amended.

Claim 2 is cancelled.

Claims 13-18 are new.

### *Response to Arguments*

2. Applicant's arguments with respect to claims 1, 6, 9-18 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 4, 6, 8-18 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Balissat et al. (US 2003/0191843 A1) in view of Bahl et al. (US 2003/0069016 A1).

Consider **claims 1, 6, 9-16**. Balissat teaches a method comprising:

establishing a secure tunnel between a security gateway in an second network and a mobile terminal located at a first address in a first network, wherein the first network is a public packet network (Fig.1b, No.120) and the second network is a private packet network (Fig.1b, No.130) and the security gateway connects the first network to

a second network (Paragraph [0045-0046], Fig.1b Illustrate and described) and the mobile terminal has a second address that identifies the mobile terminal in the second network (Paragraphs [0054], [0060]).

in the security gateway, identifying the secure tunnel based on the second address in packets destined for the mobile terminal from the second network (Paragraph [0048], [0051]). **Balissat fails to explicitly teach**

detecting a change in the first address of the mobile terminal;

in response to the detecting step, sending an update message to the security gateway, wherein the update message includes a new address value of the first address; and

based on the update message, updating the first address associated with the secure tunnel.

In an analogous art, **Bahl teaches**

detecting a change in the first address of the mobile terminal (Paragraph [0005]);

in response to the detecting step, sending an update message to the security gateway, wherein the update message includes a new address value of the first address (Abstract, Paragraphs [0022-0026]); and

based on the update message, updating the first address associated with the secure tunnel (Paragraph [0035]).

It would have been obvious at the time that the invention was made to modify Balissat with Bahl's system such that establishing a secure tunnel between a security gateway and a mobile terminal being located at a first address in a first network

and mobile terminal has second address that identifies the mobile terminal in the second network and changing new address with update message to the security gateway in order to improve the communication without breaking the existing connection.

Consider **claim 3**. The combination of Balissat and Bahl teach a method according to claim 1. Further, Bahl teaches wherein the update message is a normal data message to be transmitted to the security gateway when the change is detected (Paragraph [0005], [0022-0023]).

Consider **claims 5 and 8**. The combination of Balissat and Bahl teach a method according to claim 1. Further, Balissat teaches wherein the sending includes creating an update message including a NAT-D payload configure to detected a network address translation device between the mobile terminal and the security gateway (Paragraphs [0010], [0045]).

Consider **claim 17**. The combination of Balissat and Bahl teach the apparatus of claim 16 further Bahl teaches a memory unit configured to store a table mapping the second address with the secure tunnel, wherein the control unit is further configured to use the table to identify the secure tunnel (Paragraphs 0013-0014)

Consider **claim 18**. The combination of Balissat and Bahl teach the apparatus of claim 16, further Balissat teaches comprising a user interface configured to operate the

apparatus (Fig. 1b show the connection operation of private and public network as read on user interface configured to operate the apparatus.

5. Claims 4 and 7 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Balissat et al. (US 2003/0191843 A1) in view of Bahl et al. (US 2003/0069016 A1) and further view of Elgebaly et al. (US 2002/0152325 A1).

Consider **claims 4 and 7**. The combination of Balissat and Bahl teach sending it as the update message to the security gateway as discussed above **but is silent on** creating a dummy packet.

In an analogous art, Elgebaly et al. teaches creating a dummy packet (Paragraph [0051]).

It would have been obvious at the time that the invention was made to modify Balissat and Bahl with Elgebaly's system such that creating a dummy packet in order to provide transmitting data packet without delay.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIET DOAN whose telephone number is (571)272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kiet Doan/  
Examiner, Art Unit 2617

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617